

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In Re: JAMES TELLIS and,
ASHLEY TELLIS

Chapter 13

Debtors.

Case No. 19-26477-BHL

**MOTION FOR AN EXTENSION OF TIME
FOR FILING DEBTOR'S PAY ADVICES**

NOW COME the above-named Debtors, Anthony Dalton and Krystle Dalton, by and through their attorneys, Strouse Law Offices, by Attorney Paul A. Strouse, and respectfully moves, pursuant to Rule 9006(b)(1) of the Federal Rules of Bankruptcy Procedure, for 7 additional days to file Debtors' Pay Advices. In analyzing a motion for extension of time under Rule 6(b) of the Federal Rules of Civil Procedure, which is the bankruptcy analog to Rule 9006, see Kontrick v. Ryan, 540 U.S. 443, 546 n.10(2004), the Ninth Circuit has held that "requests for extensions of time made before the applicable deadline has passed should 'normally...be granted in the absence of bad faith on the part of the party seeking relief of prejudice to the adverse party.'" Ahanchian v. Xenon Pictures, Inc., 624 F.3d 1253, 1259 (9th Cir. 2010) (alteration in original) (quoting 4B Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 1165 (3d ed. 2004)). Similarly, a prominent authority on bankruptcy procedure has stated that court should liberally grant extensions of time sought before the period to act has elapsed so long as "the moving party has not been guilty of negligence or bad faith and the privilege of extensions has not been abused." 10 Collier on Bankruptcy ¶ 9006.06 (Alan N. Resnick & Henry J. Somme reds., 16th ed. 2015). Debtors hereby file this MOTION TO EXTEND TIME FOR FILING DEBTORS' PAY ADVICES. The following is shown to the Court in support of this motion:

1. The Debtors submitted an emergency Chapter 13 bankruptcy filing on June 30, 2019.
2. The Debtor, Mr. Tellis is missing two paystubs in the month of June and needs a small amount of additional time to provide these paystubs to counsel that he can file them with the Court.

3. The Debtors assert that they can file the completed pay advices prior to the Meeting of Creditors on August 12, 2019.
4. The Debtors expect to have their pay advices filed with the Court by July 22, 2019.

WHEREFORE, the Debtors respectfully request this Court to grant this MOTION TO EXTEND TIME for filing the completed pay advices until July 22, 2018.

Dated at Milwaukee, Wisconsin this 15th day of July, 2019.

/s/ Paul A. Strouse

Strouse Law Offices
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Drafted by:

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